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July 30, 2004

James S. Parker

James S. Parker, Patent Attorney

DECLARATION UNDER 37 CFR §1.132

Examining Group 3723

Patent Application

Docket No. PGR-100

Serial No. 09/759,423

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JUL 30 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Robert C. Watson
Art Unit : 3723
Applicant : E. Paul Green
Serial No. : 09/759,423
Filed : January 12, 2001
Conf. No. : 2318
For : Method and Apparatus for Trailer Jack Mount

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF E. PAUL GREEN UNDER 37 CFR §1.132

Sir:

I, E. Paul Green, hereby declare:

THAT, I am the inventor of the subject matter claimed in U.S. patent application 09/759,423 (hereinafter the '423 application);

THAT, I have read and understood the '423 application;

THAT, I have read and understood the rejection of claims in the Office Actions mailed June 28, 2002, January 9, 2003, May 21, 2003, October 22, 2003, the Advisory Action mailed February 4, 2004, in the '423 application, and the Office Action mailed on March 24, 2004;

THAT, I have been in the welding field for 25 years; I have provided equipment and supplies to customers in the trailer manufacturing industry for many years; I have used trailers for 30 years and, in particular, have used trailers having jacks mounted to A-frame couplers; and I have built and modified trailers for personal use, including a trailer incorporating the subject invention.

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Docket No. PGR-100
Declaration of E. Paul Green

AND, being thus duly qualified, do further declare:

The Office Action dated March 24, 2004 asserted at page 3, in reference to the rejection of claims 1-2, 21-22, and 38 under 35 U.S.C. §103(a), that "[a]ny frame member on the front of the vehicle may be termed an A-frame coupler." However, the term A-frame coupler has a meaning well known in the art. As commonly known in the art, an A-frame coupler is an element that attaches to the two frame members of the trailer that meet at the front end of the trailer to form "the tip of an A" and incorporates a ball socket for receiving a hitch ball. Therefore, it is a mischaracterization to state that any frame member on the front of the vehicle may be termed an A-frame coupler.

Attached, as exhibits A and B, are excerpts from on-line catalogs of two companies that sell A-frame couplers, Fulton and Atwood, respectively. The catalog descriptions of the Fulton and Atwood A-frame couplers describe the type of coupler commonly known in the art as an A-frame coupler and show photographs of the same. Each of these A-frame couplers are designed to attach to two frame members of the trailer that meet at the front end of the trailer to form "the tip of an A" and each A-frame coupler incorporates a ball socket for receiving a hitch ball. Note that the A-frame coupler shown on page 2 of exhibit B features a jack mounting hole for "easy installation".

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or of any patent issuing thereon.

Further declarant sayeth naught.

Signed:


E. Paul Green

Date:


7-30-04

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Exhibit A

FULTON
Wesbar
Home
What's New
Products
AG Lights / Wiring
Couplers
Straight Stamped
A-Frame Stamped
Wedge Latch
Adjustable Height
Handwheel
Gooseneck
Repair Kits
Brake Actuators
Full-Stop Trailer Brakes
Jacks
Marine Accessories
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Pro-Max Table
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| COUPLERS | A-FRAME STAMPED



A-Frame Stamped Couplers
Fulton A-Frame stamped couplers have high strength steel housings and are designed to weld onto frame members set at 50-degree angles. Our Class I 11305 is ideal for lighter duty A-Frame trailers while the Class III 33305 is rated for up to 5000 lbs and offers standard A-Frame jack mounting holes. The new and improved 44305R features the new Wedge-Latch™ (patent pending), the only replaceable ball clamp assembly in its class. All models are available in prime or oily finish.

Click on model number for detailed information and downloads.

MODEL NO.	BALL SIZE	SAE CLASS	TRAILER G.V.W.	TONGUE MOUNT
33305	2"	III	5000	50 Degree A-Frame
11305	1-7/8"	I	2000	50 Degree A-Frame
44305R	2-5/16"	IV	10,000	50 Degree A-Frame

Table last updated 03/13/2002

Disclaimer
Copyright (c) 1997 Fulton Performance Products, Inc.
These pages best viewed at 800 x 600 resolution in Internet Explorer 4.0 or later.
You're using: Microsoft Internet Explorer 4.0 (compatible; MSIE 6.0; Windows NT 6.1)
Last modified: July 29 2004 13:11:35.

Exhibit B

ATWOOD MOBILE PRODUCTS

Atwood Jacks, Couplers and Hitch Balls



Atwood Bolt Swivel Jacks

Atwood Bolt Swivel Jacks are designed to allow the jack tube to swing easily from its horizontal transit position to the vertical stationery position, locking securely into place with a solid 1/2" diameter spring-loaded pin. The bolt design of the swivel holds the jack firmly against the mounting bracket, substantially reducing the side-to-side wobble while in use and virtually eliminates the annoying chatter during travel. The jacks are available in both weld-on and bolt-on versions that will fit all rectangular frames up to 3" wide and 3, 4, or 5 inches deep.

Atwood Retaining Ring Swivel Jacks

Zinc Plated for Marine Applications

Atwood retaining ring swivel jacks have been designed and tested considering requirements such as tongue-lifting capacities, side loading capacities, length of travel needed to accommodate tractor and other tow vehicle hitch heights, clearance of power take-off shafts and jack cycle life necessary to match equipment usage and life expectancy.



Mounting Brackets

Brackets, retaining ring, and when applicable, nuts, bolts and lock washers. 87502 87501 Bolt-on bracket fits frames 2 or 3" wide and 3, 4, or 5" deep. Weld-on bracket fits most frames. Bulk 25 quantity



Atwood Power Jacks

Atwood Power Jacks make positioning a trailer hassle-free. The patented design and convenience of push button operation take the physical exertion out of cranking a trailer up or down. Simply push the button to quickly and effortlessly raise or lower the trailer into position with complete control. The Atwood Power Jack cannot change position until powered, giving you complete control over jack and trailer movement at all times. It is ideal for long-term storage, too.

Atwood jacks are not affected by temperature variations, providing solid, consistent performance regardless of the weather.

Permanently Lubricated

Our low maintenance jacks are carefully designed for years of convenient, trouble-free use. Manual override handle included.

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Creation
by Atwood

Atwood Mobile Products



Atwood A-Frame Jacks

A-Frame jacks, with triangular brackets, provide easy bolt-on or weld-on mounting through A-Frame couplers and are available in side and top-wind models. Casters or feet quickly install on jack ram. (Casters and feet must be ordered separately.)



Atwood Couplers

Atwood A-Frame couplers weld onto frame members set at 50° angles and are manufactured for S.A.E. class 3 and 4. These couplers are designed for demanding applications.

They feature a jack mounting hole for easy installation and are available for 2" and 2 5/16" ball size.

Atwood Hitch Balls

Atwood Mobile Products offers a variety of 2" and 2 5/16" companion hitch balls to meet trailer towing applications from 5,000 to 40,000 lbs. gross vehicle weight. Forged or machined using high-strength fatigue-resistant steel, Atwood hitch balls are designed to mate with specific Atwood couplers for optimal fit, long life and trouble-free performance.



Each Atwood hitch ball comes complete with a lock washer and hex nut for quick, secure installation, and meets all applicable S.A.E. and D.O.T. standards.

Atwood Pro Stands

Atwood's NEW Pro Stand is the ideal answer for jacks with casters that have to be set on soft ground, surfaces that are not level or will be left in place for long periods of time. The large base easily supports the jack, caster and trailer. The high profile Pro Stand is great for between use storage where the boat can be left in a tilted position to allow it to drain.

Atwood Casters and Feet

Atwood casters and jack feet, with convenient "twist-lock", provide easy attachment to the jack and quick removal for towing. They mount on all Atwood A-Frame Jacks.



ATWOOD MOBILE PRODUCTS
4750 Hawthorne Drive Rockford, Illinois 61109 815.877.5700